

EXHIBIT

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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IN RE BLUE CROSS BLUE SHIELD ANTITRUST LITIGATION MDL 2406	: : Master File 2:13-cv-20000-RDP : : : : This document relates to : Subscriber Track cases
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[PROPOSED] ORDER FOR APPOINTMENT OF SETTLEMENT ADMINISTRATOR

WHEREAS, a class action is pending in this Court entitled *In re Blue Cross Blue Shield Antitrust Litigation*, No. 2:13-cv-20000-RDP.

WHEREAS, the Subscriber Class Representatives and the Self-Funded Sub-Class Representative (on behalf of themselves and the Settlement Classes) (“Subscriber Plaintiffs” or “Class Representatives”) and Settling Defendants (together, the “Parties”) have entered into and executed a Settlement Agreement, which was preliminarily approved by the Court and, if finally approved the Court, will result in the settlement of all of Subscriber Plaintiffs’ claims against the Settling Defendants in the Action.¹

WHEREAS, the Settlement anticipates that the Subscriber Plaintiffs will move for appointment of, and the Court shall select, a Settlement Administrator. *See* Dkt. No. 2610-2 ¶ 1(iiii); *see also* Dkt. No. 2610-1 at 21.

WHEREAS, Subscriber Plaintiffs have moved the Court to appoint the Honorable Irma E. Gonzalez as the Settlement Administrator in the Action, and the Court has considered Subscriber Plaintiffs’ request and materials in support thereof.

¹ A copy of the Settlement Agreement was previously filed in this action on October 30, 2020 as Exhibit A to Subscriber Plaintiffs’ Motion for Preliminary Approval of Proposed Class Settlement. *See* Dkt. No. 2610-2. Capitalized terms not otherwise defined herein shall have the meanings given them in the Settlement Agreement, Preliminary Approval Motion, or the Preliminary Approval Order entered on November 30, 2020. *See* Dkt. 2641.

IT IS HEREBY ORDERED AND ADJUDGED:

The Honorable Irma E. Gonzalez is appointed as the Settlement Administrator, with responsibility limited to assisting in the “implementation of the Plan of Distribution and the resolution of any disputes between Settlement Class Members and the Claims Administrator pursuant to the Plan of Distribution, as set forth in the Settlement Agreement.” Dkt. No. 2610-2 ¶ 1(iiii).

The Settlement Administrator’s fees, as well as all other costs and expenses reasonably incurred and associated with notice and administration, will be paid directly from the Notice and Administration Fund Settlement upon written authorization by Class Counsel, Self-Funded Sub-Class Settlement Counsel, and a designated representative of the Settling Defendants, and such authorization shall not be unreasonably withheld. Dkt. No. 2610-2 ¶¶ 26(a), 29.

DONE and **ORDERED** on _____, 2021.

R. DAVID PROCTOR
United States District Judge